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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/328,627	06/09/1999	SWARUP ACHARYA	ACHARYA2-5-7	7063

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EXAMINER

MEKY, MOUSTAFA M

ART UNIT	PAPER NUMBER
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2157

DATE MAILED: 04/01/2004

15

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/328,627

Applicant(s)

ACHARYA ET AL.

Examiner

Moustafa M Meky

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 7,8,27-38,56 and 60 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 7,8,27-38,56,60 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 14.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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1. The amendment filed 3/15/2004 has been entered and considered by the examiner.
2. Claims 7-8, 27-38, 56, and 60 are presenting for examination.
3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 7-8, 27-38, 56, and 60 are rejected under 35 U.S.C. 102(b) as being anticipated by the article of "UC Berkeley researchers devise Internet's first "transformational proxy" to speed Web access for users connected to slow phone line", by Robert Sanders.

5. As to claims 7-8, Sanders discloses the Dubbed TrasSend service (Berkeley service) for communicating between computers interconnected by a communications network (Internet). The Berkeley service teaches the limitations of:

* receiving at a deriving computer (Berkeley proxy), a request from a client (user) for transmission of a user selected version of a target file;

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- deriving by conversion the user-selected version;
- transmitting from the proxy to the user the selected version;
- transmitting from the proxy to a server, a request for the target file;
- transmitting from the proxy a program for generating a menu of selected versions of the target file;
- receiving at the proxy, a file responsive to a request from the user;
- deriving at the proxy, a default low resolution of the file to be transmitted to the user. See page 1, lines 8-13, page 2, lines 20-25.

6. As to claims 27-38, 56, and 60, the claims are similar in scope to claims 7-8, and they are rejected under the same rationale.

Therefore, it can be seen from paragraphs 5-6 that Berkeley Service anticipates claims 7-8, 27-38, 56, and 60.

7. Claim 60 is rejected under 35 U.S.C. 102(e) as being anticipated by LaMaire (US Pat. No. 6,343,350).

8. As to claim 60, LaMaire shows in Fig 1, a method for communicating between a client (100) and a server (170) interconnected to the client (100) by a network (150), the method of LaMaire teaches the limitations of:

- receiving a client's request for transfer of a file (object);
- identifying a parent file;

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- deriving, by conversion of the parent file, a predetermined low resolution version (derived version);
- transmitting the derived version to the user (100);
- determining whether the default version of the target is resident in a memory cache on a proxy computer (160);
- transmitting the default version from the cache to the user (100);
- determining whether the default version of the target file can be derived by conversion from any version of the target file in the cache;
- deriving by conversion the default version; and
- requesting transmission from the server (170) of the target file from which the default version may be derived, if the default version cannot be derived from a version resident in the cache. See col 2, lines 8-14, col 3, lines 47-55, col 4, lines 50-62, col 7, lines 38-50, col 12, lines 20-31.

Therefore, it can be seen from paragraph 8 that LaMaire anticipates claim 60.


9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Moustafa M Meky whose telephone number is 703-305-9697. The examiner can normally be reached on flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 703-305-4792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

M.M.M
March 30, 2004


MOUSTAFA W. MEKY
PRIMARY EXAMINER